

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**

Case

Date Filed

14-CA-114274

September 27, 2013

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHTa. Name of Employer
ClimateMaster, Inc.

b. Tel. No. 405.745.6000

c. Cell No.

f. Fax No.

g. e-Mail

d. Address (Street, city, state, and ZIP code)

7300 SW 44th Street
Oklahoma City, OK 73179

e. Employer Representative

(b) (6), (b) (7)(C)

h. Number of workers employed
100+i. Type of Establishment (factory, mine, wholesaler, etc.)
Manufacturerj. Identify principal product or service
Heat Pumps

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (first subsections) 3 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the past six months, the above-named employer: (a) told employees that they were not going to be hired because they had previously been affiliated with a labor organization; (b) failed and refused to hire (b) (6), (b) (7)(C) because of (b) (6), union affiliation.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No. (b) (6), (b) (7)(C)

4c. Cell No.

4d. Fax No.

4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) N/A

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By

(signature)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) an individual

(Print/type name and title or office, if any)

Tel. No.

Office, if any, Cell No.

Fax No.

e-Mail

Address See above

Date (date) 8/30/12

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

D

Please Review the Following
Important Information
Before Filling Out a Charge Form!

- Please call an Information Officer in the Regional Office nearest you for assistance in filing a charge. The Information Officer will be happy to answer your questions about the charge form or to draft the charge on your behalf. Seeking assistance from an Information Officer may help you to avoid having the processing of your charge delayed or your charge dismissed because of mistakes made in completing the form.
- Please be advised that not every workplace action that you may view as unfair constitutes an unfair labor practice within the jurisdiction of the National Labor Relations Act (NLRA). Please click on the Help Desk button for more information on matters covered by the NLRA.
- The section of the charge form called, "Basis of Charge," seeks only a brief description of the alleged unfair labor practice. You should **NOT** include a detailed recounting of the evidence in support of the charge or a list of the names and telephone numbers of witnesses.
- After completing the charge form, be sure to sign and date the charge and mail or deliver the completed form to the appropriate Regional Office.
- A charge should be filed with the Regional Office which has jurisdiction over the geographic area of the United States where the unfair labor practice occurred. For example, an unfair labor practice charge alleging that an employer unlawfully discharged an employee would usually be filed with the Regional Office having jurisdiction over the worksite where the employee was employed prior to his/her discharge. An Information Officer will be pleased to assist you in locating the appropriate Regional Office in which to file your charge.
- The NLRB's Rules and Regulations state that it is the responsibility of the individual, employer or union filing a charge to timely and properly serve a copy of the charge on the person, employer or union against whom such charge is made.
- By statute, only charges filed and served within **six (6) months** of the date of the event or conduct, which is the subject of that charge, will be processed by the NLRB.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 14
1222 Spruce St Rm 8 302
Saint Louis, MO 63103-2818

Agency Website: www.nlrb.gov
Telephone: (314)539-7770
Fax: (314)539-7794

September 27, 2013

(b) (6), (b) (7)(C)

CLIMATE MASTER INC.
7300 SW 44th St
Oklahoma City, OK 73179

Re: ClimateMaster, Inc.
Case 14-CA-114274

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner AMY L. NOVARA whose telephone number is (918)581-7947. The mailing address is 224 S Boulder Ave Ste 322 , Tulsa, OK 74103-3006. If this Board agent is not available, you may contact Supervisory Field Attorney SUSAN A. WADE-WILHOIT whose telephone number is (913)967-3014.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent.

September 27, 2013

Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Daniel L. Hubbel", with a stylized, cursive flourish at the end.

DANIEL L. HUBBEL
Regional Director

Enclosures

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

ClimateMaster, Inc.

CASE NUMBER

14-CA-114274

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)**YES NO**A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

CLIMATE MASTER INC.

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 14-CA-114274

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on September 27, 2013, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

CLIMATE MASTER INC.
7300 SW 44th St
Oklahoma City, OK 73179

September 27, 2013

Date

Designated Agent of NLRB

Name

/s/ Y. Regina Tyler

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 14
1222 Spruce St Rm 8 302
Saint Louis, MO 63103-2818

Agency Website: www.nlr.gov
Telephone: (314)539-7770
Fax: (314)539-7794

September 27, 2013

(b) (6), (b) (7)(C)

Re: ClimateMaster, Inc.
Case 14-CA-114274

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on September 27, 2013 has been docketed as case number 14-CA-114274. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner AMY L. NOVARA whose telephone number is (918)581-7947. The mailing address is 224 S Boulder Ave Ste 322 , Tulsa, OK 74103-3006. If the Board agent is not available, you may contact Supervisory Field Attorney SUSAN A. WADE-WILHOIT whose telephone number is (913)967-3014.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

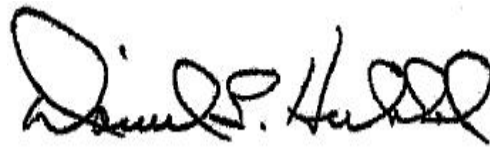
Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Daniel L. Hubbel", with a stylized, looping flourish at the end.

DANIEL L. HUBBEL
Regional Director

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
1st AMO. CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**

Case

14-CA-114274

Date Filed

October 23, 2013

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer

Koax Corp, a subsidiary of ClimateMaster, Inc.

b. Tel. No. 405-745-6000

c. Cell No.

f. Fax No.

g. e-Mail

h. Number of workers employed
100+

d. Address (Street, city, state, and ZIP code)

7300 SW 44th St
Oklahoma City, OK 73179

e. Employer Representative

(b) (6), (b) (7)(C)

i. Type of Establishment (factory, mine, wholesaler, etc.)

Manufacturer

j. Identify principal product or service

Heat Pumps

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

With the past six months, the above-named employer: (a) told employees that they were not going to be hired because they had previously been affiliated with a labor organization; (b) failed and refused to hire (b) (6), (b) (7)(C) because of (b) (6) union affiliations.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No. (b) (6), (b) (7)(C)

4c. Cell No.

4d. Fax No.

4e. e-Mail

(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) n/a

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) an individual

(filing charge)

(Print/type name and title or office, if any)

Tel. No.

Office, if any, Cell No.

Fax No.

e-Mail

see above

Address

10/23/13
(date)**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 14
1222 Spruce St Rm 8 302
Saint Louis, MO 63103-2818

Agency Website: www.nlrb.gov
Telephone: (314)539-7770
Fax: (314)539-7794

October 24, 2013

(b) (6), (b) (7)(C)

CLIMATE MASTER INC.
7300 SW 44th St
Oklahoma City, OK 73179

Re: Koax Corp, a subsidiary of ClimateMaster,
Inc.
Case 14-CA-114274

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Examiner AMY L. NOVARA whose telephone number is (918) 581-7947. The mailing address is 224 S Boulder Ave Ste 322 , Tulsa, OK 74103-3006. If the agent is not available, you may contact Supervisory Field Attorney SUSAN A. WADE-WILHOIT whose telephone number is (913) 967-3014.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

DANIEL L. HUBBEL
Regional Director

Enclosure

Koax Corp, a subsidiary of ClimateMaster, - 2 -
Inc.
Case 14-CA-114274

October 24, 2013

cc: JEFFREY M. MINTZ, Attorney
Littler Mendelson, P.C.
3344 PEACHTREE ROAD N.E.
SUITE 1500
ATLANTA, GA 30326-4803

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

CLIMATE MASTER INC.

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 14-CA-114274

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on October 24, 2013, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

CLIMATE MASTER INC.
7300 SW 44th St
Oklahoma City, OK 73179

JEFFREY M. MINTZ, Attorney
Littler Mendelson, P.C.
3344 PEACHTREE ROAD N.E.
SUITE 1500
ATLANTA, GA 30326-4803

October 24, 2013

Date

Designated Agent of NLRB

Name

/s/ Y. Regina Tyler

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 14
1222 Spruce St Rm 8 302
Saint Louis, MO 63103-2818

Agency Website: www.nlrb.gov
Telephone: (314)539-7770
Fax: (314)539-7794

October 24, 2013

(b) (6), (b) (7)(C)

Re: Koax Corp, a subsidiary of ClimateMaster,
Inc.
Case 14-CA-114274

Dear (b) (6), (b) (7)(C):

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Examiner AMY L. NOVARA whose telephone number is (918) 581-7947. The mailing address is 224 S Boulder Ave Ste 322 , Tulsa, OK 74103-3006. If the agent is not available, you may contact Supervisory Field Attorney SUSAN A. WADE-WILHOIT whose telephone number is (913)967-3014.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

DANIEL L. HUBBEL
Regional Director

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

SECOND AMENDED CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
14-CA-114274	November 22, 2013

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer KOAX CORP., OR AS A SINGLER EMPLOYER WITH CLIMATE MASTER INC.		b. Tel. No. (405)745-6000
c. Cell No.		d. Address (street, city, state ZIP code) 510 N Indiana Ave. Oklahoma City, OK 73106
e. Employer Representative		f. Fax No.
g. e-Mail		h. Dispute Location (City and State) Oklahoma City, OK
i. Type of Establishment (factory, nursing home, hotel) FACTORY	j. Principal Product or Service COAXIAL HEAT EXCHANGER	k. Number of workers at dispute location 100

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

- On or about August 20, 2013, the Employer, through its agent (b) (6), (b) (7)(C) informed that they should refrain from engaging in Section 7 activities such as organizing efforts on behalf of a Union, in violation of Section 8(a)(1) of the Act.
- On or about August 21, 2013, the Employer, through its agent (b) (6), (b) (7)(C), interrogated employees about their union activities in violation of Section 8(a)(1) of the Act.
- On or about (b) (6), (b) (7)(C), 2013, the Employer refused to consider for hire and refused to hire (b) (6), (b) (7)(C) because of (b) (6), union affiliation, in violation of Section 8(a)(1) and (3) of the Act.
- On or about (b) (6), (b) (7)(C) 2013, the Employer, through its agent (b) (6), (b) (7)(C) informed employees that the reason they were not hired was because of their union affiliation in violation of Section 8(a)(1) of the Act.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)		4b. Tel. No. (b) (6), (b) (7)(C)
4a. Address (street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)		4c. Cell No.
		4d. Fax No.
		4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. (b) (6), (b) (7)(C)
By: (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Office, if any, Cell No.
(Signature)	Print Name and Title	Fax No.
Address: (b) (6), (b) (7)(C)	Date: 11/21/13	e-Mail

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 14
1222 Spruce St Rm 8 302
Saint Louis, MO 63103-2818

Agency Website: www.nlrb.gov
Telephone: (314)539-7770
Fax: (314)539-7794

November 22, 2013

KOAX CORP., or as a Single Employer with Climate Master, Inc.
510 N Indiana Ave
Oklahoma City, OK 73106

Re: Koax Corp., or as a Single Employer with
ClimateMaster, Inc.
Case 14-CA-114274

Gentlemen:

Enclosed is a copy of the second amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Examiner AMY L. NOVARA whose telephone number is (918) 581-7947. The mailing address is 224 S Boulder Ave Ste 322, Tulsa, OK 74103-3006. If the agent is not available, you may contact Supervisory Field Attorney SUSAN A. WADE-WILHOIT whose telephone number is (913) 967-3014.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the second amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

DANIEL L. HUBBEL
Regional Director

Enclosure: Copy of second amended charge

November 22, 2013

cc: JEFFREY M. MINTZ, Attorney
 Littler Mendelson, P.C.
 3344 PEACHTREE ROAD N.E.
 SUITE 1500
 ATLANTA, GA 30326-4803

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

CLIMATE MASTER INC.

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 14-CA-114274

AFFIDAVIT OF SERVICE OF SECOND AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on November 22, 2013, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

KOAX CORP. or as a Single employer with
Climate Master
510 N Indiana Ave
Oklahoma City, OK 73106

JEFFREY M. MINTZ, Attorney
Littler Mendelson, P.C.
3344 PEACHTREE ROAD N.E.
SUITE 1500
ATLANTA, GA 30326-4803

November 22, 2013

Date

Designated Agent of NLRB

Name

/s/ Y. Regina Tyler

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 14
1222 Spruce St Rm 8 302
Saint Louis, MO 63103-2818

Agency Website: www.nlrb.gov
Telephone: (314)539-7770
Fax: (314)539-7794

November 22, 2013

(b) (6), (b) (7)(C)

Re: Koax Corp., or as a Single Employer with
ClimateMaster, Inc.
Case 14-CA-114274

Dear (b) (6), (b) (7)(C):

We have docketed the second amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Examiner AMY L. NOVARA whose telephone number is (918) 581-7947. The mailing address is 224 S Boulder Ave Ste 322 , Tulsa, OK 74103-3006. If the agent is not available, you may contact Supervisory Field Attorney SUSAN A. WADE-WILHOIT whose telephone number is (913)967-3014.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the second amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

DANIEL L. HUBBEL
Regional Director



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 14
1222 Spruce St Rm 8 302
Saint Louis, MO 63103-2818

Agency Website: www.nlrb.gov
Telephone: (314)539-7770
Fax: (314)539-7794

December 30, 2013

JEFFREY M. MINTZ, Attorney
Littler Mendelson, P.C.
3344 PEACHTREE ROAD N.E.
SUITE 1500
ATLANTA, GA 30326-4803

Re: Koax Corp., or as a Single Employer with
ClimateMaster, Inc.
Case 14-CA-114274

Dear Mr. MINTZ:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Daniel L. Hubbel

DANIEL L. HUBBEL
Regional Director

cc:

(b) (6), (b) (7)(C)

KOAX CORP., OR AS A SINGLE
EMPLOYER WITH CLIMATE
MASTER INC.
510 N INDIANA AVE
OKLAHOMA CITY, OK 73106

(b) (6), (b) (7)(C)